

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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ANTON LIVERPOOL,

Plaintiff,

-against-

THE CITY OF NEW YORK, ET AL.,

Defendants. 20-CV-4629 (ALC) (OTW)

**SUGGESTION OF DEATH  
UPON THE RECORD OF  
DEFENDANT HERMANTIN  
SURPRIS PURSUANT TO  
FEDERAL RULE CIVIL  
PROCEDURE 25(a)**

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**PLEASE TAKE NOTICE** that defendant City of New York, pursuant to Rule 25(a) of the Federal Rules of Civil Procedure, respectfully submits, upon information and belief, as follows:

On June 3, 2022, Mostafa Khairy, counsel for defendant City of New York, was informed by defendant Darrien Lewis of the death of defendant Hermantin Surpris. See Civil Docket Sheet Entry No. 81. On June 9, 2022, a member of the New York City Department of Correction Legal Division confirmed that defendant Surpris passed away on or about October 8, 2021.

**WHEREFORE**, pursuant to Rule 25 of the Federal Rules of Civil Procedure, defendant City of New York suggests upon the record that defendant Hermantin Surpris is deceased, and that any motion for substitution of a proper party be timely made within ninety (90) days of the date hereof.

Defendant respectfully submits it has complied with the Court's June 9, 2022 order. See Civil Docket Sheet, Entry No. 83.

Dated: June 10, 2022  
New York, New York

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By: *Mostafa Khairy* /s/  
Mostafa Khairy  
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